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SUMMARY RECORD OF THE 376th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 22 May 1997, at 10 a.m.

Chairperson: Miss MASON

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 6) (continued)

Initial report of Cuba (continued) (CRC/C/8/Add.30; CRC/C/Q/CUB.1)

1. At the invitation of the Chairperson, the Cuban delegation resumed its place at the Committee table.

2. Mr. KOLOSOV asked whether the special schools, of which there were some 13 in Cuba, came under the authority of the country's Ministry of the Interior or of the Ministry of Education. He would also like to know whether officials working with or on behalf of children were given training in children's rights and, if so, how was the training system organized?

3. Mrs. KARP reminded the Cuban delegation that it had not yet responded to the Committee's request for clarification of Cuba's declaration relating to article 1 of the Convention, (CRC/C/2/Rev.6) that majority was not attained at 18 years of age for purposes of the full exercise of civic rights in Cuba.

4. When the Committee expressed concern about the disparity between boys and girls in terms of the age of marriage, it was referring not just to discrimination as such but to the risks associated with early marriage for girls: possible physical and mental damage or damage to health; disadvantages suffered by children born to immature mothers; narrowing of girls' prospects for further study and self-development. Although she realized that early marriages were often the preferred solution to the problem of early pregnancy, she wondered whether it was a sound policy to address one problem by creating another.

5. Children were too young at the age of 12 years to choose or to have their parents choose for them between further study and work in the informal sector. Under adverse economic circumstances such as those prevailing in Cuba, she feared that the second alternative would be favoured. The statistics furnished, which covered the period up to 1993/1994, showed a decline in enrolment at the secondary and higher levels of education and a reduction in the number of scholarships. Moreover no indication had been given of the drop-out ratio. She asked for more recent and more comprehensive statistics and suggested that Cuba should raise the age of compulsory education in the best interests of children.

6. The Cuban Family Code referred to the best interests of the child. How was the term interpreted by the courts and the administrative authorities when a conflict arose between the interests of children and those of their parents or of other children, or among a child's different interests?

7. She asked whether corporal punishment was prohibited in schools and other institutions or as a penalty in the judicial system and whether it was prevalent in the home. Was any action being taken to eradicate corporal punishment?

8. Torture was prohibited by the Cuban Constitution. What procedure existed to consider complaints of torture involving children? Had a special

body been established for the purpose which was independent of the public authorities? Was there any provision for compensation and rehabilitation of victims? In particular, she wished to know whether there had been complaints of ill-treatment of children by the police or other authorities.

9. In the absence of a legally established age of sexual consent in Cuba, she understood that rape was defined solely in terms of the consent or otherwise of the victim. In many other countries, it was an offence to have sexual intercourse with a girl or boy under a certain age even where consent was obtained, on the ground that it was not informed consent. She recommended the inclusion of such an offence in Cuba's Criminal Code.

10. In its Agenda for Action, the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, had encouraged countries to develop legislation that would establish the criminal responsibility of customers of child prostitution in addition to that of service providers. It had further recommended that both girls and boys should be protected up to the age of 18 years.

11. According to the delegation, children's complaints were addressed to the Prosecutor-General or the Ministry of Justice. In the Committee's view, the complaints machinery should be independent of the authorities against whom a complaint was being filed and it should be accessible to children confined, for example, in welfare institutions or institutions of juvenile justice. She proposed that a system of redress along those lines should be established in Cuba.

12. Cuba had a highly developed welfare and education system. She feared, however, that in a welfare-oriented society the best interests of the child might be equated with the goals of welfare theories. Who decided, for example, to remove children from their home? Were the child's wishes taken fully into consideration? Some countries had introduced the institution of the guardian ad litem, who represented children vis-à-vis the authorities, expressing their wishes and views. She suggested that Cuba should consider ways of taking the child's interests into consideration from his or her own perspective.

13. What kind of treatment could children who were HIV-positive expect in Cuban society? Could they continue their normal schooling or were they separated from other children and hence stigmatized?

14. She asked for further information regarding the Cuban Plan of Action concerning accidents, in particular whether it included an investigation into the safety of playgrounds.

15. With regard to juvenile justice, she understood that 16 years was the age of criminal responsibility. When children under the age of 16 were committed to welfare or special education institutions on suspicion of having committed an offence, how were their rights safeguarded in the absence of an investigation to establish their guilt? In the case of young people over the age of 16 years, the Committee had not received disaggregated data regarding the number of children involved in criminal proceedings, the offences with which they had been charged, the number of custodial sentences handed down and

the ratio of such sentences to alternative forms of punishment. She suggested that Cuba should include such data in its next report. She also recommended that young people under the age of 18 should be tried in juvenile courts.

16. The Cuban legislation prohibiting night work by children under the age of 18 years between 10 p.m. and 6 a.m. was not in conformity with Convention No. 79 of the International Labour Organization (ILO) concerning the Restriction of Night Work of Children, which provided for a period of rest of at least 12 consecutive hours. The Cuban Government had undertaken to remedy the matter by amending the relevant legislation. Had it already done so?

17. Ms. FLÓREZ PRIDA (Cuba) said that article 1 of the Convention defined the child as every human being below the age of 18 years unless majority was attained earlier under the law applicable to the child. Cuba had made its declaration in relation to that article because majority was attained earlier under its legislation for certain purposes, including marriage, concluding work contracts and voting in elections. The Family Code set the minimum age for marriage at 14 years for girls and 16 years for boys, since the traditional view in Cuba was that girls reached marriageable age sooner than boys. It could be argued for that reason that boys had been discriminated against rather than girls. However, the legislation was currently being amended to ensure gender equality.

18. Mr. KOLOSOV, referring to paragraph 29 of the report (CRC/C/8/Add.30), said that the Convention itself provided for different ages for certain acts, or what was known as "partial legal capacity". He therefore saw no need for Cuba's declaration relating to article 1.

19. Mrs. SARDENBERG noted that the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights had encouraged States to review any reservations to international human rights instruments with a view to their withdrawal. As there seemed to be no practical reason for Cuba's declaration on article 1, she recommended that the Cuban Government should consider withdrawing the declaration as an important political gesture.

20. She disagreed with the view that girls enjoyed any advantage through being allowed to marry at the age of 14 years. On the contrary, they were entering the adult world too soon and were being deprived of the safeguards accorded to children. Legislation should evolve in line with social change and Cuba would do well to re-examine the whole structure of ages for various activities in the light of the Convention and the new moral code it had established.

21. Mr. FULCI said that the Committee was entering a highly sensitive political area and was in danger of acting ulta vires. Its main purpose was to see that the Convention was implemented and, while he was not in favour of conditional ratification, that was a right of States parties which was generally recognized.

22. The CHAIRPERSON said that, in her view, it was the Committee's duty to bring to the attention of any reporting State party the recommendations of the Vienna Declaration of 1993 concerning reservations and declarations.

23. Ms. FLÓREZ PRIDA (Cuba) said that education in her country was compulsory up to the age of 12 years. Cuba had a population of 11 million, and there were 2,200,000 students at all levels, in more than 10,000 educational institutions. She would provide the Committee with education statistics for 1996 and 1997, broken down according to subjects and geographical areas.

24. No children were held in prison in Cuba. In certain cases children were placed in specialized educational institutions because they had committed non-criminal offences. Children were not subjected to torture.

25. Ms. BERETERVIDE (Cuba) said that Cuba's specialized educational institutions functioned under the authority of the Ministry of Education; they did not come under the Ministry of the Interior. As indicated in paragraph 72 of the report (CRC/C/8/Add.30), there were at present 35 special schools, 13 of them being of a new type. As for the kind of teachers who worked in special education and how they were trained, she said that there were diagnostic and orientation centres part of whose function was to train such teachers but whose main goal was to detect as quickly as possible in the regular schools whether an individual child had need of special schooling. All teachers were entitled to a one-year sabbatical during which they upgraded their skills or undertook training in new ones; many opted to train in the diagnostic and orientation centres, developing systems for the special schools with the assistance of teams of psychologists, educationists and legal experts.

26. With reference to the sexual exploitation of children, she said that prostitution as such was not considered an offence in Cuba, but anyone who benefited from it was considered to be an offender and sanctions were imposed. Anyone, apart from the prostitute, found guilty of involvement in child prostitution or of inciting minors to engage in prostitution was punished severely. Cuba's attitude to prostitution itself was to help the person concerned and give him or her - whether child or adult - special treatment. A social welfare officer specializing in that area took charge of their care, but also examined the family situation and other factors that might have caused the individual to engage in prostitution in the first place.

27. Ms. ALIÑO (Cuba) said that in Cuba there was no discrimination against children who were found to be HIV positive; their parents were informed and given help in dealing with the problem. Children showing symptoms were given medical treatment.

28. The problem of accidents in recreational areas was dealt with by a national health council and a national accident prevention commission, but basic protection was provided by the family doctor. Considerable efforts were being made to improve security in the home and at school by identifying potential hazards for children and dealing with them either by taking safety measures or by limiting access. Communities, schools and homes were obliged to declare any accident risks and try to raise their levels of safety.

29. Ms. FLÓREZ PRIDA (Cuba) said that corporal punishment in schools did not exist, was prohibited and had never been authorized. Schools had parents'

associations which met on a regular basis to discuss problems that arose with the children, disciplinary matters and questions concerning the administration of the school.

30. Ms. ALIÑO (Cuba) said that family doctors, nurses and social welfare workers realized that health was a complete state of well-being and not simply a physical concept. There were family doctors in schools and play centres one of whose tasks was to check on cases of physical and psychological maltreatment, which they were then obliged to report to the authorities. An early warning system had been established for reporting all acts of violence committed against children, and in the past two years there had been a number of events and meetings dealing with the maltreatment of children and involving those concerned with their health care. All doctors in Cuba knew that they were under an obligation to detect cases of violence against children and to report them.

31. Ms. DE PUZO (Cuba), referring to the question of the age of consent for sexual activity, said that whether or not the activity constituted an offence was not determined in terms of age. Sexual offences were treated as more grave if the child was younger, but the difference lay in the severity of the sanctions imposed. Cuba's penal legislation contained a list of offences against children.

32. With regard to the right of children to have recourse to authority, a child could address a children's magistrate or a district court judge dealing with juvenile issues. Children could not have recourse to the Prosecutor-General's Office.

33. Offences committed by children under the age of 16 were not regarded as crimes. Juvenile offenders between the ages of 16 and 18 benefited from special treatment: they were not imprisoned together with adults, and were dealt with according to their age, being taught skills with the aim of changing their attitude and behaviour and equipping them for reintegration into society.

34. In relation to the right of the child to rest and leisure, child labour did not exist in Cuba, either by day or by night, and young persons just above the minimum age for work had shorter working hours than adults. Learning and work were combined at certain stages in Cuban schools.

35. There was no corporal punishment in Cuban schools, torture of children did not take place.

36. Ms. FLÓREZ PRIDA (Cuba) said that the Cuban delegation had taken note of all the comments made by members of the Committee and would be pleased to furnish any further information that might be required. The authorities in Cuba were constantly analysing the situation with regard to the rights of the child and were seeking ways of improving it.

37. Mrs. MBOI said that the information provided appeared to indicate that Cuba was one of the very few countries in the world where there was as yet no problem of sexually transmitted disease among minors. All young people in Cuba who engaged in premarital sex would seem to be practising safe sex. If

the number of abortions in Cuba had fallen and all couples had access to free family planning information, there was no reason for unwanted pregnancies. However, that problem being on the increase both regionally and globally, Cuba should monitor the situation closely. The Cuban authorities could usefully share their experience with other countries that were finding it difficult to convince their young people either to practise safe sex or to delay the beginning of their sexual activity.

38. In her view no satisfactory answer had been given to the Committee's questions concerning the status of the HIV/AIDS epidemic in Cuba and the action being taken in that regard.

39. The Cuban delegation had referred to the family planning information and services that were made available to couples, but the Committee's concern was whether such information and services were furnished to children. Teenage pregnancies were on the increase, and there had also been an increase in the incidence of HIV/AIDS and sexually transmitted diseases in young children.

40. The Convention could help the Cuban authorities to increase their influence and advocacy and to change existing and possibly outdated legislation, for example by raising the minimum age of marriage: girls of 14 and boys of 16 were still children biologically, physically, mentally and socially, and there was plenty of research and experience to show that child marriages were detrimental to the development not only of the couple but also of their children.

41. Mrs. SARDENBERG welcomed the delegation's statement concerning the Cuban Government's position regarding the 1993 Hague Convention on the Protection of Children and Cooperation in respect to Inter-Country Adoption. She requested confirmation that there was no discrimination in Cuba between biological and adopted children in the context of article 2 of the Convention, and asked whether legislation was under consideration that would facilitate efforts by children to learn who their real parents were, in accordance with article 7. In Cuba parents had an obligation to declare a birth within 72 hours of its occurrence, but the Committee's experience was that many countries had problems with registration in rural areas. Did such problems exist in Cuba, were there any penalties if the law was not complied with, and had there been any campaigns to encourage immediate registration?

42. The collection of data by monitoring was an area in which many United Nations bodies, including UNICEF and the Centre for Human Rights, provided technical assistance. She wished to know how the data collection system in Cuba worked, and whether there was any need for modernization or for technical assistance.

43. Mr. RABAH asked whether any non-governmental organizations had participated in the preparation of the report (CRC/C/8/Add.30), and if so which organizations and in what way. He would also like to know how the special educational institutions for juvenile offenders functioned and what was Cuba's experience in rehabilitating such offenders. Were there any training programmes for judges, magistrates, police officers, probation officers, teachers and health workers who dealt with juvenile offenders? Was

any care provided for Cuban children outside Cuba if they faced serious problems? Were there any plans for childhood development in terms of implementation of the Convention?

44. Mrs. MOKHUANE, referring to the question of the minimum age for marriage, said that girls of 14 and boys of 16 might be physically mature, but they were not emotionally mature, and many studies pointed to the health problems that arose when girls of 14 had children, not to speak of the general problems of being sexually active at a young age. She now understood why Cuba's Family Code had so many rules and regulations: it was because of the young parenthood that was promoted by the State. The quality of that parenthood appeared to be questionable, which was why the various Codes were so insistent on what it meant to be a parent. Children 14 or 16 years of age should be preparing for careers and not for parenthood, which was a big responsibility. Did childhood exist in Cuba, and if so when did young Cuban girls and boys actually enjoy it?

45. The Committee had been informed that the behavioural problems of young people in Cuba were being dealt with from a curative point of view, but it had not been explained what those behavioural problems really were. She asked what was being done to promote the psychological well-being of children outside the family and the school at the community level, and what mechanisms existed for lodging complaints outside the State and government institutions in respect of violations of the Convention.

46. Ms. OUEDRAOGO inquired whether adoptions were monitored for quality of treatment, what recourse had a child if the chosen family did not suit him, and what procedures were followed in such a case. What measures were taken to ensure the social and psychological equilibrium of abandoned or orphaned children who were adopted? It would be useful to know what was done to ensure the continuity of a child's ethnic, religious, cultural and linguistic heritage, in accordance with article 20.

47. It had been stated that the centres run by the United Nations Population Fund (UNFPA) in Cuba provided programmes of sex education; the Government should indicate to what extent such programmes ensured both parental rights and responsibilities. Further information should also be supplied on the nature of measures taken to ensure an equitable distribution of pharmaceutical products and medical supplies in poor rural and urban areas. She would like to know whether there were refugee children in Cuba, and if so, what measures were taken to assist them.

48. Mr. FULCI said that, according to the report (para. 64), there were few cases of abandoned children or children without a family in Cuba; how many in fact were there? It would be useful to know whether there existed a national association that worked in conjunction with UNICEF and whether Cuba's collaboration with UNICEF was satisfactory.

49. The CHAIRPERSON, speaking in her personal capacity, inquired what impact, if any, the economic situation had had on the quality of education, and in particular whether it had adversely affected the status of the teaching profession. It would be useful to know whether any studies had been made of

violence within the family, and what was the reaction of the authorities to the findings of such studies. What was the incidence of abuse among children?

50. Ms. FLÓREZ PRIDA (Cuba) said that under the Cuban Constitution children born in and out of wedlock enjoyed equal rights. Furthermore, the Family Code provided that all children had the same rights, regardless of the civil status of their parents. A law, adopted by the National Assembly of People's Power in 1985, abolished distinctions between natural and legitimate children, established that particulars of both parents had to be registered whether or not they were married, affirmed the legal rights of children vis-à-vis their parents, and required parents to assume responsibility for their children. Ninety-nine per cent of all births in Cuba took place in clinics, in each of which there was a civil registry office, which made possible the orderly and reliable collection of birth data. There were no legal distinctions between adoptive and other children.

51. Cuba had traditionally offered assistance to refugees. A case worthy of note was that of the numerous Namibian children and adolescents who had come to Cuba, alone or accompanied, during the Namibian struggle for independence, and had studied in Cuban schools. Following independence, they had gone home to Namibia, but many had later returned to Cuba to undertake higher studies. Over the years many young people had come to Cuba from African and Latin American countries to continue their studies while they waited for conditions to normalize at home. Cuba continued to welcome refugees and the United Nations High Commissioner for Refugees had a representative office in Havana.

52. Since 1960, Cuba's relationship with UNICEF had been excellent and had developed. UNICEF had provided considerable assistance for rural vaccination and teacher training programmes, as well as disaster relief.

53. Ms. ALIÑO said that HIV/AIDS did not constitute a significant health problem in Cuba simply because few cases existed. All Cuban polyclinics had groups of specialists in family planning and all Cubans had access to family planning information. Cuba suffered, however, from a severe shortage of contraceptives and the available supplies were reserved for couples at risk. Unwanted pregnancies therefore did occur, but were showing a downward trend. Cuban family planning policy sought to discourage early sexual activity, which could be a danger to reproductive health. If it was engaged in, the safest possible method should be adopted, namely use of the condom. A programme had just been launched which might make it possible better to satisfy the demand for that item.

54. There were two treatment programmes for AIDS patients, treatment in a sanatorium or treatment at home. Both were voluntary.

55. Replying to a question from Ms. MBOI, she said that there were 400 cases of diagnosed AIDS in the Cuban population at present; to date there had been a total of 1,000 cases. There had been no significant increase in the incidence of AIDS in the country. AIDS patients voluntarily chose to be treated in sanatoriums, in order to halt the spread of the disease, which had spread much more rapidly in other countries. Comparatively speaking, the incidence of HIV/AIDS in Cuba was insignificant. Systematic examinations were carried out

and all pregnant women, for example, were tested for the virus. Sex education had been decisive in curbing the spread of the disease. It was a concern of the Ministry of Education, the Ministry of Health, the National Centre for Sex Education and various NGOs. A university chair in sex education had been established and the subject had been introduced into educational curricula.

56. The age of consent in Cuba was 18. Permission was given for girls of 14 and boys of 16 to marry only under special circumstances. Marriage at those ages was the exception, not the rule. Furthermore, the law was under revision. Cuban policy discouraged both young marriages and early pregnancy as being detrimental to both girls and boys, who had to take on responsibilities for which they were not prepared. The Government placed great emphasis on the consensual maternity and paternity programme conducted by the Ministry of Health.

57. The Ministry of Health had an outstanding data-collection system, which had been approved by a number of international organizations. All Cuban clinics and hospitals had statistical centres, which monitored illness and mortality. Such statistics were collected weekly under the programme for mother and child care, of which she was the director. In other areas of concern, such as accidents, breastfeeding, and pregnancies at risk, Cuba had monitoring sites and hospitals, which made quantitative and qualitative assessments.

58. In all schools, including the special institutions, emphasis was placed on sports and the arts. Schoolchildren were offered vacations at parks and beaches free of charge.

59. Cuba had 281 hospitals, of which 64 were in rural areas. There were also 210 maternity centres. Pregnant women living in remote rural areas could move, several weeks before term, to a maternity centre located near a hospital. A programme had been developed to make medicines, medical supplies, and health-care education readily available in rural and mountainous areas. Visitors from UNICEF and other international organizations had been impressed by the programme's results.

60. Ms. BERETERVIDE (Cuba), referring to Cuba's mechanisms for data collection, said that there was a high degree of community participation, including use of a population sampling system. UNICEF had utilized its considerable experience in Cuba in a joint pilot programme for training regional specialists in the evaluation of collected data.

61. Referring to the question of the preparation of Cuba's report, she re-emphasized that the document now being evaluated had been prepared in 1995. The interests of children had always been a matter of priority in Cuba, which had long had programmes specially designed for children that had been expanded to cover women and families in general. Governmental bodies, NGOs and women's organizations had been involved in the initial preparatory work for the drafting of the report. The final text had been established on the basis of further reports produced by State institutions and NGOs that took account of all relevant points of view, problems encountered and recommendations made. Prior to the submission of the final report to the Committee, its contents were fully reviewed and further updated.

62. With reference to Cuba's sex education programmes, she said that there was full coordination between the work of women's organizations and the actions undertaken by the Government in that area. Governmental, non-governmental and women's organizations all played an important role in the mechanisms introduced for the submission of complaints. All citizens could lodge complaints on any matter relating to the family unit, in particular in relation to children.

63. The structures which were in place ensured good communication between State bodies and the non-governmental organizations in matters relating to children. Concern had been expressed in the Committee regarding orphans, and particularly regarding their upbringing and the question of respect for their traditions. In Cuba different specialized institutions existed for the care of children who had been abandoned or whose parents were alcoholics or in prison. In such institutions the child benefited from a more balanced emotional environment than in the home. However, taking a child away from its family could create difficulties and wherever possible the family home was the best place for a child to be. In the specialized institutions the authorities tried to work together with parents, many of whom had been rehabilitated.

64. Parents were in some cases not ready to take responsibility for their children and placement of the latter in a special institution was then preferable, although their stay there should not be indefinite. Children were sometimes left in a family environment with their grandparents or their aunt and uncle. Single mothers, of whom there were many, presented particular problems. The State often helped them to find jobs or housing so that they could again care for their children.

65. The CHAIRPERSON thanked the members of the Cuban delegation for the answers they had furnished to the Committee's questions and said that further information could be provided by the delegation in writing at a later date.

The meeting was suspended at 12.30 p.m. and resumed at 12.40 p.m.

66. The CHAIRPERSON invited the members of the Committee to comment on the replies given by the delegation of Cuba.

67. Ms. SARDENBERG expressed satisfaction with the openness of the Cuban delegation's dialogue with the Committee, but felt that the Government's report had been lacking in certain areas. Cuba was certainly to be commended for its commitment to the Convention, reflected in the country's National Action Programme for Children. Its achievements in social development, especially during the past 32 years, in very difficult circumstances, were also to be commended. The economic blockade imposed on the country had had a very negative impact on children and young people.

68. There was an absence in the Cuban report of an overall vision of the Convention, which was important for its proper implementation. There were also some problems with the institutional structures designed for its implementation. There appeared, in Cuba, to be a lack of balance between the different kinds of rights: economic, social, cultural, civil and political.

69. A number of recommendations could be made. The programmes for children that had been introduced in Cuba needed to form part of a national strategy for promotion of the rights enunciated in the Convention. Secondly, a comprehensive study should be made of the problems relating to legislation in that field. It was important also to coordinate the mechanisms for the implementation of the Convention, which should be viewed from a holistic standpoint. Cooperation with United Nations agencies at all levels should be strengthened and consideration should be given to ratification of other international human rights instruments to which Cuba had not yet acceded.

70. Ms. KARP said that Cuba's achievements had been considerable in the area of social development, given the economic constraints imposed on the country. However, the national process of development in terms of health and education programmes had begun prior to the drafting and ratification of the Convention. Following ratification, Cuba's policies, legislation and actions did not appear to have focused on the Convention as a reference document and, in their training, professionals dealing with children, such as judges, policemen and social workers, did not appear to have been given an overall vision of the Convention. Furthermore, the new amendments to legislation did not appear to focus on the instrument's general principles, in particular the need to take account of children's views. In matters of adoption and guardianship, where a child was over the age of 7, the judge concerned might, but was not obliged, to hear the child's opinion. It was necessary that Cuba's legislation should express the full range of children's rights and it was to be hoped that the dialogue that had taken place in the Committee would be publicized in Cuba so that a better understanding of children's issues and of children's rights under the Convention might be ensured.

71. Mr. KOLOSOV commended the Cuban delegation for its report and for the written responses given to the Committee's questions. In his view, the Committee should acknowledge the economic difficulties Cuba had been experiencing and should recognize the country's contribution to international cooperation demonstrated, for example, by its care for 14,000 children from Chernobyl. A misunderstanding had perhaps arisen concerning the age of majority in Cuba and the Declaration on Childhood and Youth. The Convention on the Rights of the Child did not preclude the possibility of setting the age of majority above 18 years, nor was setting it below 18 precluded. It was clear from the report and the information furnished that in Cuba majority was attained on a person's eighteenth birthday.

72. In Cuba, children generally received six years of free, compulsory education. However, there was no legal guarantee thereafter of further education, which was merely encouraged. It was therefore important to increase the number of years of compulsory schooling. It was desirable also that the ages for completion of compulsory education and admission to employment should coincide. According to paragraph 112 of the report, the age of consent to sexual intercourse in Cuba was 12 years. Clearly that age was too low and should be reconsidered. Even if a 13- or 14-year-old gave consent to such an act, that should be criminalized. The Cuban delegation had stated that the low number of suicides and the minor difficulties of begging and prostitution did not really constitute a problem. However, for Governments, for the Committee and in relation to the implementation of the Convention, every single child affected was a problem. Worldwide trends indicated that

suicide among juveniles, drug addiction and child prostitution were on the increase in many countries. It was necessary to study all such tendencies given the dangers of further increases. Cuba should, in his view, become a party to the Hague Convention on Protection of Children and Cooperation in respect of Inter-Country Adoptions of 1993.

73. Referring to paragraphs 77 and 79 of the report, he observed that the medical care statistics given related only to children under the age of 15. Since all persons under the age of 18 were entitled to protection under the Convention, as had been acknowledged by Cuba, he wished to know why the statistics did not cover those between the ages of 15 and 18?

74. Mr. FULCI agreed that Cuba should be commended for its report. He believed that it was necessary for the country to concentrate more on the establishment of general rules rather than dealing with exceptions, in the interest of protection of its children. He had been interested to note, from the information provided, that Cuban children had been affected only to a limited extent by the terrible plague of sexual abuse.

75. Ms. FLÓREZ PRIDA (Cuba) said that the Cuban delegation had sought to give all possible explanations in order to inform the Committee of the work done in Cuba to help children and young people, including that undertaken prior to the adoption of the Convention. Cuba attached enormous importance to work in favour of children and it felt a great sense of commitment in being party to the Convention on the Rights of the Child. Cuban society was far from perfect, but efforts were continuously being made in order to improve it. Work undertaken prior to the Cuban revolution included the legislation passed in 1975, as well as the adoption of the Family Code and other laws relating to children and young people. On its return to Cuba the delegation would ensure that the report was made available to the public, together with the answers given to the Committee's questions and the supplementary information that would shortly be furnished to the Committee.

76. The Committee's recommendations would be studied in order to determine in what ways Cuba's legislation could be developed and how the machinery for the care of children could be improved. She wished to emphasize that, even if the actual number of cases was small, suicide, begging and prostitution did constitute real problems for Cuba. It was important to try to find the underlying causes and appropriate solutions. New challenges were faced by the Government in the areas of economic development, expansion of the tourist industry and encouragement of foreign investment.

77. In the field of health, she wished to assure the Committee that the problems of child mortality in rural and municipal areas were being carefully analysed in order to establish the causes and find solutions. Cuba was under obligation to translate all the requirements and recommendations of the Convention into reality. It was seeking to ensure that a balance existed between the various kinds of rights: civil, political, social, economic and cultural. Cuba was a firm believer in the independence and indivisibility of all such rights.

78. The Cuban delegation had taken note of all the points raised by the Committee and particulars of ensuing action by the Government would be communicated to it. She expressed Cuba's appreciation of the opportunity to take part in dialogue with the Committee.

79. The CHAIRPERSON said that the Committee took note of Cuba's commitment to do what was best for its children. Its efforts were the subject of international interest and scrutiny and it was clear that the country had made considerable progress in the area of protection of children.

The meeting rose at 1.15 p.m.